

Targeted and Prescribed Grazing Environmental Assessment
Appendix H – Supplemental Authorities and Other Relevant Resources and Concerns

APPENDIX H: SUPPLEMENTAL AUTHORITIES AND OTHER RELEVANT RESOURCES AND CONCERNS

Table H-1 Supplemental Authorities and Other Relevant Resources and Concerns

Determination*	Resource	Rationale for Determination
NI	Air Quality <i>(The Clean Air Act of 1955, as amended)</i>	The proposed action would not impact air quality because of the required design features and monitoring that are part of each alternative.
NI	Areas of Critical Environmental Concern (ACEC) and other special designations (National Conservation Areas, National Monuments, etc.) <i>(Federal Land Policy and Management Act of 1976)</i>	There are 17 ACECs located within the analysis area. Targeted and prescribed grazing, if done in any ACEC, would be done in conformance with the applicable ACEC and meet the management objectives of the ACEC or designated area. The Basin and Range National Monument (24,117.21 acres) and the Black Rock Desert-High Rock Canyon (565,233.64 acres) are also included within the analysis area. All targeted and prescribed grazing treatments would be in conformance with the applicable special management plan and meet the management objectives of the designated area.
NP	Cave and Karst Resources	There are no known caves nor karst features present in the analysis area.
NI	Cultural Resources <i>(National Historic Preservation Act of 1966, as amended)</i>	The BLM has developed a National Programmatic Agreement (NPA) (1997), as amended (2012) governing the manner in which BLM will meet its responsibilities under the National Historic Preservation Act. In 2014, the BLM-Nevada entered into a Protocol Agreement with the Nevada State Historic Preservation Officer (SHPO) pursuant to provisions of the NPA. The Proposed Action is in compliance with this Protocol Agreement. According to the Protocol Agreement, the proposed action is considered an “under-threshold” undertaking, which means that formal consultation with Nevada SHPO will not be required. In this case, the BLM in Nevada has the authority to make unilateral determinations of eligibility and effect as it pertains to cultural resources. Any authorizations approved in the Decision Record will be subject to site-specific review for additional NEPA compliance to determine if any cultural inventories will be required prior to implementation, ensuring that potential adverse effects to cultural resources will not occur. It is upon this basis that this issue was dismissed for analysis. At the time of EA scoping, a request for comment for any party that desired to participate in the section 106 process was released.
NI	Dispersed Recreation	The proposed action would not significantly hinder or alter the experience of dispersed recreationists within the area, and if successful, the proposed action would positively impact dispersed recreation in project areas. Signage would be used to alert recreationists when herding dogs are being used and a grazing treatment is in progress, which would minimize adverse impacts upon recreationists in the project area.

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Determination*	Resource	Rationale for Determination
PI	Environmental Justice (<i>Executive Order 12898</i>)	As defined in EO 12898, minority, low income populations and disadvantaged groups live adjacent to/in proximity to the analysis area and may use the sites associated with the treatments. Therefore, for the purposes of this analysis, multiple Environmental Justice populations are present. See discussion/analysis in Section 3
NI	Farmlands (Prime & Unique) (<i>Surface Mining Control and Reclamation Act of 1977</i>)	There are prime or unique farmlands on affected public lands within the analysis area based on relevant soils. These lands would not be irrigated or utilized for farming, nor would they be removed from current utilization as such. This proposed action would not impact prime or unique farmlands present within Great Groups.
PI	Fire and Fuels Management	See discussion/analysis in Section 3
PI	Fish and Wildlife including Special Status Species other than FWS candidate or listed species e.g. Migratory birds (<i>E.O. 13186</i>)	See discussion/analysis in Section 3
NI	Floodplains (<i>Executive Order 11988</i>))	There are floodplains on affected public lands within the analysis area based on the Department of Housing and Urban Development (HUD) floodplain map. Impacts to floodplains would be captured in the discussion/analysis in Section 3 for Riparian areas.
NI	Geology / Mineral Resources / Energy Production	Area geology would not be changed by the alternatives. These projects would not impact geology, energy production resources, and would not impact salable, locatable, or fluid minerals All potential conflicts with the location of the proposed projects would be avoided.
PI	Greater Sage-Grouse	See discussion/analysis in Section 3.
PI	Invasive Species / Noxious Weeds (<i>Federal Noxious Weed Act of 1974, as amended and (EO 13112)</i>)	Invasive annual grasses would be targeted with the proposed action. See discussion/analysis Section 3
NI	Lands / Access / Rights-of-Way	Potential conflicts with these resources would be identified and mitigation would accommodate proponents and grazing projects.

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PI	Livestock Grazing <i>(Taylor Grazing Act of 1934 and the Public Rangelands Improvement Act of 1978)</i>	See discussion/analysis in Section 3
NI	Native American Religious Concerns <i>(Executive Order 13007)</i>	<p>The BLM is charged with engaging in “regular and meaningful consultation and collaboration with federally recognized tribes in the development of federal policies and decisions that have tribal implications” (BLM 2016b).</p> <p>Tribal coordination and consultation responsibilities are implemented under laws and executive orders that are specific to cultural resources which are referred to as “cultural resource authorities” and under regulations that are not specific which are termed “general authorities.” In July and August, 2019, BLM Nevada invited the following tribes, via formal letter, to engage in government-to-government consultation on the targeted grazing effort: Duckwater Shoshone Tribe, Ely Shoshone Tribe, Fort McDermitt Tribe, Lovelock Paiute Tribe, Fallon Paiute-Shoshone Tribe, Pyramid Lake Paiute Tribe, Reno-Sparks Indian Colony, Duck Valley Shoshone-Paiute Tribe, Summit Lake Paiute Tribe, Te-Moak Tribe of Western Shoshone, Walker River Paiute Tribe, Washoe Tribe, Yerington Paiute Tribe, and Yomba Shoshone Tribe. BLM Nevada did not receive any comments or requests to engage in consultation on the targeted grazing effort from any tribal government or individual. In accordance with applicable law, regulation, and policy, tribal consultation will be conducted with potentially-impacted tribes on a project-by-project basis.</p>
NI	Paleontology <i>(Paleontological Resources Protection Act P.L. 111-011, HR 146)</i>	Any authorizations approved in the Decision Record would be subject to site-specific review for additional NEPA compliance to determine if any paleontological inventories would be required prior to implementation. Paleontological resource reviews and inventories in support of such authorizations would ensure that affects to any significant paleontological localities are taken into consideration per the Paleontological Resource Protection Act.
NI	Rangeland Health Standards and Guidelines <i>(43 CFR 4180)</i>	This EA address grazing treatments used for fuels or invasive annual species management. Rangeland Health Standards and Guidelines do not apply to this proposed action.
PI	Recreation and Travel Management	See discussion/analysis in Section 3
PI	Riparian Areas and Wetlands <i>(Executive Order 11990)</i>	See discussion/analysis in Section 3
PI	Socioeconomics	See discussion/analysis in Section 3

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Determination*	Resource	Rationale for Determination
PI	Soils	See discussion/analysis in Section 3
NI	Special Recreation Permits	Potential conflicts with any special use permits would be identified during the project specific NEPA compliance (such as through a Determination of NEPA Adequacy process, if appropriate). All permit holders would be notified of any projects that may overlap within authorized area.
PI	Threatened, Endangered, or Candidate Plant Species <i>(Endangered Species Act of 1973, as amended)</i>	See discussion/analysis in Section 3
PI	Threatened, Endangered, or Candidate Animal Species <i>(Endangered Species Act of 1973, as amended)</i>	See discussion/analysis in Section 3
PI	Vegetation including Special Status Plant Species.	See discussion/analysis in Section 3
NI	Visual Resource Management (VRM) <i>(FLPMA 1976, NEPA 1969)</i>	There are four categories in the manual that describe a level of visual disturbance in each class. These treatments would not be implemented in Wilderness Areas, which are likely class 1. The other classes allow for descending levels of natural appearance. In addition, a design feature can be implemented if needed to make the target area curved rather than angular as the landscape allows. Any design features included would lessen the impacts to the visual resources in the area but in general the proposed action would improve visual resources on a landscape level. Identified projects would be subject to a review to determine if any VRM inventories would be required prior to implementation.
NI	Wastes (hazardous or solid) <i>(Resource Conservation and Recovery Act of 1976, and Comprehensive Environmental Response, Compensation, and Liability Act of 1980)</i>	No known hazardous or solid waste sites have been identified in the analysis area, and the proposed project would not contribute to or create hazardous or solid wastes. If hazardous or solid wastes are identified in in the analysis area, the proper action would be taken before the project is initiated.

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NI	Water Quality (drinking/ground) <i>(Safe Drinking Water Act of 1974, as amended and Clean Water Act of 1977)</i>	The proposed action would not impact water quality or water quality sources for drinking or ground water.
NP	Wild and Scenic Rivers <i>(Wild and Scenic Rivers Act of 1968, as amended)</i>	There are no designated/eligible/suitable wild and scenic rivers identified within the analysis area.
PI	Wild Horses and Burros <i>(Wild and Free Roaming Horses and Burros Act of 1971, as amended)</i>	See discussion/analysis in Section 3
PI (LWCs) NI (Wilderness Areas and WSAs)	Wilderness areas, Wilderness Study Areas (WSAs), and Lands with Wilderness Characteristics (LWCs) <i>(Federal Land Policy and Management Act of 1976 and Wilderness Act of 1964, applicable Wilderness Area Management Plans)</i>	<p>Wilderness areas and Wilderness Study Areas (WSAs) are omitted as candidate locations for the proposed action for this assessment. The possibility of utilizing the proposed project within Wilderness areas and WSAs could be revisited in the future by completing appropriate project-specific NEPA compliance.</p> <p>At this time, Wilderness policy allows fuels treatments in order to work toward the reestablishment of the historical fire regime altered by the presence of non-native plant species, but this EA is unable to make site-specific analyses to justify the project within a Wilderness area or WSA.</p> <p>Livestock grazing is currently an authorized activity within Wilderness areas and WSAs, and there is an ongoing need for cost-effective and efficacious strategies for addressing invasive annual grasses within these protected areas in order to maintain wilderness character and wilderness characteristics, respectively.</p> <p>The Lands with Wilderness Characteristics (LWC) resource has no rationale for dismissal. Minimal potential for short-term impacts to wilderness characteristics in LWCs exist from targeted grazing; mainly, the denuded swath of vegetation would impact “apparent naturalness” and “solitude” wilderness characteristics. However, this impact would very likely be moderated by long-term improvements and maintenance of those same wilderness characteristics, dependent on the outcome of the proposed action. See Section 3 for analysis within the EA.</p>
NI	Woodland / Forestry	Proposed project would not occur in woodland sites used for timber management or forest products, and is not analyzed to alter fire behavior in forested settings.

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Determination*	Resource	Rationale for Determination
* NP = Not present in the area impacted by the proposed or alternative actions NI = Present, but not impacted to a degree that detailed analysis is required PI = Present with potential for relevant impacts that need to be analyzed in detail within the EA		